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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/786,891	02/24/2004	Sylvain P. Rebaud	REAL-2006083 (RN120)	3530
61857 7590 04/21/2011 AEON Law / Real Networks, Inc 1525 4th Ave Suite 800 Seattle, WA 98101				
EXAMINER				
MEKY, MOUSTAFA M				
ART UNIT		PAPER NUMBER		
2457				
NOTIFICATION DATE		DELIVERY MODE		
04/21/2011		ELECTRONIC		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patents@aconlaw.com

### Office Action Summary

**Application No.**

10/786,891

**Applicant(s)**

REBAUD ET AL.

**Examiner**

Moustafa M. Meky

**Art Unit**

2457

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 29 November 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-39 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-39 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB-08)  
Paper No(s)/Mail Date 11/29/2010
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

1. The amendment filed 11/29/2010 has been entered and considered by the examiner.
2. Claims 1-39 are presenting for examination.
3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shannon (US Pat. No. 6,233,618) in view of Yasushi (US 2002/0040401).
5. As to claims 1 & 28, Shannon shows in Fig 1, a method for providing conditional access to media content, the method comprising:

receiving a request for the media content destined for a remote media rendering device 52, the request received by a media service provider server 55 from a remote middleman server 100 (col 5, lines 51-65, col 13, lines 23-25) connected to the media rendering device 52 on a local network 40, see col 6, lines 4-12, col 12, lines 37-45;

receiving, by the media service provider server 55, a device ID associated with the remote media rendering device 52, see col 6, lines 4-12, col 7, lines 11-30, col 12, lines 37-45;

verifying, by middleman server 100, based on the received device ID whether the remote media rendering device 52 is approved to receive the requested media content, see col 7, lines 11-30, col 13, lines 52-65; and  
granting the request, by the middleman server 100, if the remote media rendering

device 50 is approved to receive the requested media content, see col 13, lines 52-65, col 14, lines 10-15, lines 49-59.

Shannon does not teach the media server 55 would verify the device ID of the device 52 in order to grant the request from the device 52 to receive the requested media content (the verification and the granting steps are done by the middleman server 100 as been shown above). However, Yasushi teaches that the media server 4 (Fig 1) could implement the both the verification and the granting steps). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Yasushi with the system of Shannon in order to increase the security of the media server (by achieving a complete access control to the media server itself and not depend on the middleman server i.e. the media server 55 would determine to whom should allow or deny access to its content)

6. As to claim 2, the device ID uniquely identifies to the media service provider server 55 the remote media rendering device 52 that made the request, see table 1, col 7, lines 11-30, col 13, lines 3-7, lines 52-65.
7. As to claim 3, the device ID uniquely identifies to the media service provider server 55 the type of remote media rendering device 52 that made the request, see table 1, col 7, lines 11-30, col 13, lines 3-7, lines 52-65.
8. As to claim 4, the device ID includes a MAC address, see col 7, lines 27-30, col 13, lines 3-7

9. As to claims 5-6, granting the request comprises sending the requested media content to the middleman server 100 for delivery to the remote media rendering device 52 after establishing a secure channel, see col 6, lines 4-15, col 12, lines 37-45.

10. As to claims 7-8, granting the request comprises establishing a session with the middleman server for sending the requested media content to the middleman server for delivery to the remote media rendering device, see col 6, lines 4-15, col 12, lines 37-45.

11. As to claims 9-11, obtaining a rating associated with the requested media content; accessing an approved rating range for the media rendering device; and denying the request if the requested media content has a rating outside the approved rating range, see col 6, lines 29-60, col 7, lines 62-67, col 8, lines 1-11, col 13, lines 52-67, col 14, lines 10-15.

12. As to claim 12, the request is received from and the media content is transmitted to the middleman server over the Internet 45, see Fig 1.

13. As to claims 13-27 & 29-39, the claims are similar in scope to claims 1-12 & 28, and they are rejected under the same rationale.

Therefore, it can be seen from paragraphs 5-13 that the combination of Shannon and Yasushi teaches the limitations of claims 1-39.

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Moustafa M. Meky whose telephone number is 571-272-4005. The examiner can normally be reached on flex.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 571-272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Moustafa M Meky/  
Primary Examiner, Art Unit 2457

4/14/2011